

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO <u>et al.</u> , Debtors. ¹	PROMESA Title III Case No. 17 BK 3283-LTS (Jointly Administered)
In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of PUERTO RICO ELECTRIC POWER AUTHORITY, Debtor.	PROMESA Title III Case No. 17 BK 4780-LTS

SEVENTH REVISED ORDER EXTENDING AND ESTABLISHING CERTAIN
DEADLINES APPLICABLE TO THE JOINT MOTION OF PUERTO RICO ELECTRIC
POWER AUTHORITY AND AAFAF PURSUANT TO BANKRUPTCY CODE SECTIONS 362, 502,
922, AND 928, AND BANKRUPTCY RULES 3012(A)(1) AND 9019 FOR ORDER APPROVING
SETTLEMENTS EMBODIED IN THE RESTRUCTURING SUPPORT AGREEMENT [ECF No. 1235]

- 1 The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA", and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Urgent Joint Motion of Government Parties and Anticipated Objectors for Seventh Revised Order Extending and Establishing Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922 and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement [ECF No. 1235]* (ECF No. 1713 in Case No. 17-4780) filed October 31, 2019 (the “Urgent Motion”), and the Court having found and determined that (i) the Court has jurisdiction over this proceeding pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); (ii) venue of this proceeding is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a); (iii) no party has objected to the proposed schedule set forth in the Urgent Motion; and (iv) the Court having found good cause to enter the modification to the schedule requested therein, it is **HEREBY ORDERED THAT:**

1. The following deadlines shall apply to any person or entity (i) that seeks discovery, (ii) from whom discovery is sought (whether by notice or subpoena), (iii) that objects to the 9019 Motion or to any discovery with respect thereto, or (iv) is a signatory to the RSA:²

November 25, 2019	Disclosure of rebuttal experts and service of rebuttal expert reports.
December 6, 2019	Deadline for Moving Parties, Objectors and Supporters to serve and disclose the declarations they plan to introduce in their respective principal cases (whether or not those declarations were previously served and disclosed), and to identify trial exhibits and any live testimony expected to be presented through third-party witnesses not under the participants’ control. ³

² Capitalized terms not defined herein shall have the same meaning as set forth in the original scheduling order related to the 9019 Motion (“Original Scheduling Order”) (ECF No. 1253). All parties in interest reserve all rights to seek relief from this schedule from the Court and to oppose any applications seeking such relief.

³ To the extent new declarations are served by this deadline from witnesses who have not been deposed or have not previously submitted declarations, the opposing parties shall have

December 9, 2019	Deadline to exchange deposition designations.
December 11, 2019	Deadline for completion of expert depositions.
December 13, 2019	Deadline for counter-designations, objections to deposition designations, objections to declarations and exhibits, and designation of witnesses for cross-examination. The parties must promptly meet and confer in an effort to resolve any objections to declarations, designations, witnesses, and exhibits.
December 17, 2019	Deadline for any objections to deposition counter-designations.
December 18, 2019	Deadline for Moving Parties to file reply briefs and Supporters to file supporting statements.
December 20, 2019	Deadline for filing motions in limine. Parties may seek relief from this deadline upon a showing of cause and that such application shall not result in any delay of the 9019 Hearing Date. The Court retains discretion as to whether to (1) entertain later-filed motions in limine; and (2) set alternative briefing schedules for earlier-filed motions in limine.
January 3, 2019	Deadline for responses to timely motions in limine.
January 7, 2020	Deadline for replies in support of timely motions in limine. Any hearing on such motions to be set at the Court's discretion.
January 8, 2020	Deadline for parties to file a joint status report as to any remaining objections to declarations, deposition designations, witnesses, and exhibits.
January 8, 2020	Deadline for filing compilations of listed declarations and exhibits.
January 9, 2020	Deadline to deliver hard copy compilations of declarations and exhibits to the District of Puerto Rico courthouse for Judge

the right to take a deposition of the declarant within 7 days without waiver of any motions to exclude testimony by the declarant.

	Swain and USB drive or DVD containing properly marked and identified exhibits and an exhibit list for the Clerk's Office. ⁴
January 14, 2020	Hearing on the 9019 Motion at 9:30 a.m. (Atlantic Standard Time) (the "9019 Hearing Date")

2. Aside from as set forth above, the *Fourth Revised Order Extending and Establishing Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement [ECF No. 1235]* (ECF No. 1639) (the "Fourth Revised Order"), as amended by the *Sixth Revised Order Modifying Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement* (ECF No. 1684), shall govern.⁵

3. This Order resolves Docket Entry No. 1713 in Case No. 17-4780.

SO ORDERED.

Dated: November 1, 2019

/s/ Laura Taylor Swain
HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

⁴ See [https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury Evidence Recording System PROMESA_VS_MJB_MO.pdf](https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury%20Evidence%20Recording%20System%20PROMESA_VS_MJB_MO.pdf)

⁵ Consistent with the Fourth Revised Order, new fact discovery requests, including deposition notices, will not be issued on or after September 8, 2019 other than to the extent permitted or required by Paragraph 2 in the Fourth Revised Order, the Fourth Joint Informative Motion Regarding Schedule for Motion to Compel Depositions of Nelson Morales and José Roque Torres (ECF No. 1699), or the Order on Motion to Compel (ECF No. 1678).